

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

FRANK QUAGLIA,

Plaintiff,

v.

BRAVO NETWORKS, NATIONAL  
BROADCASTING COMPANY, INC.,  
doing business as NBC, RAINBOW  
PROGRAMMING HOLDINGS, INC.  
and DOES 1-10,  
Defendants.

Civil Action No. 04-10460-RWZ

**Affidavit of Frank Quaglia, *pro se***

The following is an affidavit with documentation, which describes my net worth, current salary, other sources of income, and other financial information that I would like the court to consider regarding my inability to pay Defendants' attorneys' fees and costs.

My wife, Janet, and I have no savings accounts, stocks, bonds, or any other similar investments. I have three sons (ages 17, 15, and 13) who are planning to go to college. I have not been able to save any money for their college educations to date. I am 44 years old, have no legal training, and have worked diligently to present this case to the court. The California law firm of Johnson and Rishwain initially represented me on a contingency basis. They paid all up-front costs because of their strong belief in my case. Two other law firms (Justin Wineburgh, Esq. of Cozen O'Connor, Philadelphia, and Paul Scheuerlein, Esq. of Cantwell and Cantwell, Chicago) also agreed to represent me on a contingency basis. However, I didn't have \$20,000 to pay extraneous case costs such as travel, hotel, expert witness, etc. which they required. Therefore, I proceeded *pro se*.

**CURRENT INCOME**

- |   |          |
|---|----------|
| 1. My current monthly wages as a substitute teacher (\$60 per day) is:<br>(See paystubs from Aug.28, 2006-Oct. 6, 2006 and resume.)   | \$1,020. |
| 2. My wife, Janet, is disabled and has Social Security Disability Income:<br>(See Letter from Athol Savings Bank dated Oct. 5, 2006. Approx.<br>\$1,300 is for my wife and approx. \$700 is for my three children.) | \$2,057. |
|   | <hr/>    |
| Total Current Monthly Income for my Family of Five:   | \$3,077. |

**PAST INCOME**

- |   |   |       |           |       |           |       |           |       |           |
|---|---|-------|-----------|-------|-----------|-------|-----------|-------|-----------|
| 3. I was laid off from my prior employer in Dec. 2005 and collected unemployment insurance through April, 2006 in the approximate <u>monthly</u> amount:<br>(See Division of Unemployment Assistance, a.k.a. "Workforce", notifications). | \$2,000   |       |           |       |           |       |           |       |           |
| 4. This is an overview of <u>my last several years earnings</u> —<br>(See W-2's and 1099's for W.H.Graham Corp., a.k.a. Club Dead Productions, and Town of West Boylston).  | <table border="0"> <tr> <td style="text-align: right;">2005:</td> <td style="text-align: right;">\$31,641.</td> </tr> <tr> <td style="text-align: right;">2004:</td> <td style="text-align: right;">\$30,000.</td> </tr> <tr> <td style="text-align: right;">2003:</td> <td style="text-align: right;">\$27,944.</td> </tr> <tr> <td style="text-align: right;">2002:</td> <td style="text-align: right;">\$18,612.</td> </tr> </table> | 2005: | \$31,641. | 2004: | \$30,000. | 2003: | \$27,944. | 2002: | \$18,612. |
| 2005:   | \$31,641.   |       |           |       |           |       |           |       |           |
| 2004:   | \$30,000.   |       |           |       |           |       |           |       |           |
| 2003:   | \$27,944.   |       |           |       |           |       |           |       |           |
| 2002:   | \$18,612.   |       |           |       |           |       |           |       |           |

**INDICATORS OF MY FAMILY'S FINANCIAL HARDSHIPS**

- |   |                      |
|---|----------------------|
| 5. PAST DUE MORTGAGE PAYMENTS—AMC (Aug.-Oct. 2006)<br>(See AMC Past Due Bill for Aug., Sept., & Oct., 2006.)<br><b><u>STATUS: UNPAID</u></b>  | \$3,192.68           |
| 6. DELINQUENT REAL ESTATE TAXES—Town of Barre (Sept. 2006):<br>(See TOWN OF BARRE tax statement & AMC Mortgage letter.)<br><b><u>STATUS: UNPAID.</u></b> Payment in full will be made Nov. 5, 2006  | \$2,410.85           |
| 7. OVERDRAWN—Leominster Credit Union Account (Sept.2006)<br>PAST DUE NOTICE—LCU Overdraft Protection (Sept. 2006)<br>(See LCU Account Overdrawn Notice and Overdraft Past Due Notice.)<br><b><u>STATUS: UNPAID</u></b> Leominster Credit Union has closed my account. | \$324.77<br>\$500.00 |

**INDICATORS OF MY FAMILY'S FINANCIAL HARDSHIPS (Cont.)**

8. REPOSSESSION NOTICE—LCU Car Loan Payment (Aug-Sept. 2006) \$271.72  
(See LCU Repossession Notice).  
**STATUS: PAID**
9. COLLECTION NOTICE—Charter Comm. (Dec. 2005-Sept. 2006): \$399.86  
(See CREDIT PROTECTION ASSOCIATION Notice and Letter.)  
**STATUS: UNPAID.** We haven't had television service for over a year.
10. PAST DUE NOTICE—Town of Barre Water & Sewer (April-Aug. 2006) \$1,145.13  
(See Town of Barre Past Due Notice and two letters.)  
**STATUS: PARTIALLY PAID—\$650.**
11. CURRENTLY IN DEFAULT—Household Bank Credit Card (July, 2006): \$1,047.05  
(See ATLANTIC Credit & Finance Incorporated Default Letter.)  
**STATUS: UNPAID.**
12. TERMINATION NOTICE—Overdue Electric Bill (June, 2006): \$304.38  
(See NATIONAL GRID Termination Notice.)  
**STATUS: PAID.**
13. NOTICE OF DISCONTINUANCE—Overdue Phone Bill (May, 2006): \$283.09  
(See VERIZON Notice of Discontinuance.)  
**STATUS: PAID.**
14. CANCEL DATE—Overdue House Insurance (May, 2006): \$92.00  
(See AMC MORTGAGE letter.)  
**STATUS: PAID**

The above indicators of my family's financial hardships are truly representative of my ongoing struggle for years to provide for my family's month to month needs. I didn't track down and make copies of telephone/electric termination notices or longstanding late-paid bills from years past, but my yearly income figures paint the picture. \$31,641 (my 2005 personal income) was the most money I have ever earned in one year.

**ASSETS**

15. EQUITY IN MY HOME, 35 Terry Lane, Barre MA (Approx.): \$45,000.  
(Based upon a sale price of \$200,000 given the home's present condition.)
- Mortgage that I owe as of October, 2006: \$156,762.  
(See Exhibit 5—AMC Past Due Bill for Aug-Oct., 2006.)
16. EQUITY IN MY 2000 NISSAN VAN/ 136,000+ miles (Approx.): \$4,000.  
Car loan that I owe as of October, 2006: \$4,917.  
(See LCU Past Due loan notice for Sept. 2006.)
17. EQUITY IN MY 1987 VOLVO WAGON/ 200,000+ miles (Approx.): \$1,500.  
(See copy of car registration.) My wife and I share the van and station wagon though both are in my name.
18. My mother, Lucille Quaglia, placed my name (along with hers) on the deed to her home (86 Mount View Drive, Holden, MA) in 2002 as a future inheritance in place of a will. My mother's home is *her* asset, not mine, but I bring it to your attention to avoid any misconceptions.
- (See copy of QUITCLAIM DEED filed in 2002.)

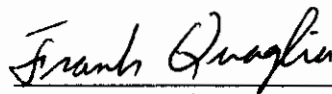
**CONCLUSION**

My wife, Janet, and I have no savings account, stocks, bonds, or any investments other than our home. She receives social security income because of her disability. Other than social security, I have no retirement funds set aside for my future. My three children have lived with me exclusively since my former wife moved to Kentucky in 2003. I have never received any child support from my former wife.

I have worked at various types of jobs for years while steadfastly pursuing my career as a writer and filmmaker. I have spent many years investing time, money, and energy into projects that I expected would financially benefit my family. To date, I have created two movies, two children's books (written, but not illustrated yet), one eleven-song CD, and one screenplay.

I continue to work to provide for my family. Although I have been unable to save any money yet, I intend to help each of my three children (ages 17, 15, and 13) through college and contribute toward whatever careers await them. Currently, I am working as a substitute teacher at West Boylston High School in West Boylston, MA, as I simultaneously seek full-time employment.

Respectfully submitted,

  
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Frank Quaglia, *pro se*

Date: October 17, 2006

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
Civil Action No. 04-10460-RWZ**

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2. My wife, Janet's, Social Security Disability Income Letter from Athol Savings Bank Dated Oct. 5, 2006.
3. Division of Unemployment Assistance, a.k.a. "Workforce" Notifications.
4. My W-2's and 1099's working for W.H.Graham Corp., a.k.a. Club Dead Productions, and Town of West Boylston for 2005, 2004, 2003, & 2002.
5. AMC Mortgage Past Due Bill for Aug., Sept., & Oct., 2006.
6. Town of Barre Tax statement & AMC Mortgage letter.
7. LCU Checking Account Overdrawn Notice and Overdraft Past Due Notice.
8. LCU Car Repossession Notice.
9. Charter Comm./Credit Protection Association Notice and Letter.
10. Town of Barre Water & Sewer Past Due Notice and two letters.
11. HouseholdBank Credit Card Atlantic Credit & Finance Inc. Default Letter.
12. Overdue Electric Bill National Grid Termination Notice.
13. Overdue Verizon Phone Bill Notice of Discontinuance.
14. Cancel Date—Overdue House Insurance AMC MORTGAGE letter.
15. See Exhibit 5—AMC Past Due Bill for Aug-Oct., 2006 Mortgage Info.
16. Copy of LCU Past Due Car Loan Notice for 2000 NISSAN VAN.
17. Copy of car registration for my 1987 VOLVO WAGON.
18. Copy of QUITCLAIM DEED to my mother's home—July, 2002.

Date: October 17, 2006